UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/696,558	10/25/2000	Jussi Ketonen	335.02	2721

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EXAMINER
NAJJAR, SALEH

ART UNIT	PAPER NUMBER
2157	

DATE MAILED: 02/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 October 2004*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

1.   This action is responsive to the amendment filed on October 11, 2004. Claims 1-
21 were amended. Claims 1-21 are pending. Claims 1-21 represent a method and
system for an autonomous local assistant for managing business processes.

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-3, 5-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over
Roberts et al., U.S. Patent No. 6,295,551.

Roberts teaches the invention substantially as claimed including a system and
method for conducting simultaneous voice and joint browsing sessions (see abstract).

As to claim 1, Roberts teaches a method of providing a client-side local assistant
system from an agent's computer system to a customer's computer system, the method
Comprising:

providing an agent Web site that presents a local assistant program download
offer for servicing on the customer's computer system (see figs. 1-2; col. 7-10, Roberts
discloses a server 20 for providing downloadable plug-in in the form of an applet);

in response to selection by the customer's computer of a download link
for the local assistant program download offer, invoking a server-side local assistant
administrative system installed on the agent's computer system such that the
local assistant administrative system transmits a local assistant installation
agreement to the customer's computer system (see col. 10-14, Roberts discloses that a
logon page is provided to the user to authenticate the user for downloading the plug-in);

in response to receipt by the agent's computer system of an accepted local
assistant installation agreement from the customer's computer system, installing a
client-side local assistant program that remains active on the customers computer
system until disabled or un-installed (see col. 9, lines 34-67; col. 10-12; Roberts
discloses that a user applet or a sales representative applet is downloaded to a

computer in response to the logon request, the applet does not have to be downloaded again from the server and that the server can, in real-time or pursuant to a timer, continually download to the user computer any necessary functionality in an applet 22); and

in response to receipt by the agent's computer system of a request from the customer's computer system for a predefined functionality and information database associated with the core local assistant program, installing the predefined functionality and information database on the customer's computer system wherein the local assistant program runs on the customer's computer system while the operation of the local assistant program is modified by adding new functionality to the program (see col. 9, lines 30-67; col. 9-10, Roberts discloses that a predefined functionality is requested and downloaded either before or after installation of the applet based on the client's applications or attributes, the applet does not have to be downloaded again from the server and that the server can, in real-time or pursuant to a timer, continually download to the user computer any necessary functionality in an applet 22).

Roberts fails to teach the limitation of a "rule set". Roberts does teach that a predefined functionality is requested and downloaded either before or after installation of the applet based on the client's applications or attributes, the applet is tailored to provide these functionalities when executed by the client (see col. 9-10).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Roberts by specifying the "functionality" as a "rule set" since the same functionality of allowing a plug-in to execute certain parameters is achieved.

As to claim 2, Roberts teaches the method as in claim 1, and wherein local assistant program includes functionality that allows the customer's computer system to observe, analyze, and/or store information regarding a computer-mediated customer Interaction (see col. 12, lines 1-60; col. 15, lines 1-60; col. 12-18, Roberts discloses that the system is deployed in an environment to facilitate representative/customer interaction, and that the downloaded program can take any of three views, administrator view, sales view, customer view and each can be programmed to monitor certain interactions).

As to claim 3, Roberts teaches the method as in claim 2, and wherein the computer-mediated customer interaction comprises viewing a web page (see col. 10-12).

As to claim 5, Roberts teaches the method as in claim 1, wherein the local assistant program includes functionality that allows the customer's computer system to define periodic tasks to be performed by the customers computer system (see col. 15, lines 1-60; col. 14-17, Roberts discloses that predefined events are scheduled and executed by the administrative applet).

As to claim 6, Roberts teaches the method as in claim 5. and wherein the periodic tasks include gathering, analyzing and/or displaying information regarding predefined topics of interest (see col. 9-10, Roberts discloses monitoring and reporting several factors at the customer's computer including historical links to web pages).

As to claim 7, Roberts teaches the method as in claim 1. and wherein the core local assistant system includes functionality that allows direct interaction between the core local assistant system and the customer (see figs. 1-7; col. 9-18, Roberts discloses that form fields are filled in the applet by the user to facilitate interaction).

Claims 8-9 do not teach or define any new limitations above claim 1 and therefore are rejected for similar reasons.

As to claims 10-11, Roberts teaches the computer-based system as in claim 9, and wherein the server side local assistant administrative system includes a merchant database that stores information relating to assisted merchants and subsequent to download of the predefined rule set and associated information database to the customer's computer system, selected portions of the merchant database are downloadable to the customer's computer system in accordance with rules included in the predefined rule set (see col. 1, lines 20-65; col. 2, lines 50-60; col. 11; col. 13-14; col. 15-21, Roberts discloses that the interactive agent system represents several merchant businesses and includes reference data such as URL's to reference different merchant products and that a sales view page for example, can be downloaded to the sales representative's applet).

Claims 12-15 do not teach or define any new limitations above claims 2-7 and therefore are rejected for similar reasons.

As to claim 16, Roberts teaches the computer-based system as in claim 8, and wherein the local assistant program includes a rules interpreter that creates and displays interactive windows related to the selected information (see col. 15-19, Roberts discloses that different windows can be provided to present different views having different functionality such as administrative view , sales rep. view and customer view).

As to claims 17-19, Roberts teaches the computer-based system as in claim 8. and wherein the local assistant program includes a rules interpreter system that reads and writes local interaction data related to the selected information for storage on the customers computer system, includes a rules interpreter system that transmits requests to the local assistant administrative system for rule set updates, and wherein the core local assistant system includes a rules interpreter system that transmits requests to update interaction data relating to the selected information and stored in the local assistant administrative system (see figs. 1-7; col. 12-21).

As to claim 20, Roberts teaches the computer-based system as in claim 8, and wherein the core local assistant system includes a rules interpreter system that allows the customer's computer system to interact directly with the local assistant system via browser navigation to a local reserved URL (see col. 12-18).

As to claim 21, Roberts teaches the computer-based system as in claim 20, and wherein the rules interpreter system includes functionality for parsing the local reserved URL to determine requested action and data to be determined by the customer's computer system (see col. 12-21).

4.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts further in view of Roberts et al., U.S. Patent No. 6,240,459.

Roberts teaches the invention substantially as claimed including a system and method for conducting simultaneous voice and joint browsing sessions (see abstract).

As to claim 4, Roberts teaches the method as in claim 2 above.

Roberts fails to teach the claimed limitation wherein the computer-mediated customer interaction comprises music.

However, Roberts 459' teaches a network delivery of interactive entertainment synchronized to playback of audio recordings (see abstract). Roberts 459' teaches a computer-mediated customer interaction comprising music (see col. 3-8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Roberts 551' in view of Roberts 459' so that the mediated customer interaction includes music. One would be motivated to do so to allow entertainment producers to deliver music content on the Internet.

5.   Applicant's arguments filed October11, 2004 have been fully considered but they are not persuasive. In thee remarks, the applicant argues in substance that A); The plugins disclosed in Roberts terminate at the end of a computer session; B) in Roberts, modifying a plugin functionality involves a reinstallation process and does not read on the functionality of a adding new rules to the program rulset while running; C) in Roberts, the customer's computer does not allow the customer computer to observe, and analyze the customer interaction locally; D) Roberts does not teach the functionality of claim 5 wherein periodic tasks are performed by the applet; E) Roberts does not teach the limitation of claims 10-11 wherein the server –side local assistant includes a merchant database that stores information related to merchants; F) Roberts does not teach a local reserved URL.

In response to A) Roberts discloses that a predefined functionality is requested and downloaded either before or after installation of the applet based on the client's applications or attributes, the applet does not have to be downloaded again from the server and that the server can, in real-time or pursuant to a timer, continually download to the user computer any necessary functionality in an applet 22 (see col. 9, lines 30-67; col. 9-10).

In response to B); Roberts discloses that a user applet or a sales representative applet is downloaded to a computer in response to the logon request, the applet does not have to be downloaded again from the server and that the server can, in real-time or

In response to B); Roberts discloses that a user applet or a sales representative applet is downloaded to a computer in response to the logon request, the applet does not have to be downloaded again from the server and that the server can, in real-time or pursuant to a timer, continually download to the user computer any necessary functionality in an applet 22 (see col. 9, lines 34-67; col. 10-12).

In response to C); Roberts discloses that the system is deployed in an environment to facilitate representative/customer interaction, and that the downloaded program can take any of three views, administrator view, sales view, customer view and each can be programmed to monitor certain interactions (see col. 12, lines 1-60; col. 15, lines 1-60; col. 12-18).

In response to D); Roberts discloses that predefined events are scheduled and executed by the administrative applet (see col. 15, lines 1-60; col. 14-17,).

In response to E) Roberts discloses that the interactive agent system represents several merchant businesses and includes reference data such as URL's to reference different merchant products and that a sales view page for example, can be downloaded to the sales representative's applet (see col. 1, lines 20-65; col. 2, lines 50-60; col. 11; col. 13-14; col. 15-21).

In response to F); Roberts does teach that predefined URL's are accessed to provide automated events which reads to the broad limitation of a reserved URL (see col. 15, lines 1-50).

In response to G); the playing of music files often involves the selection of file URL links which parallels the selection of any other type of files on the Internet in Roberts.

6.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the
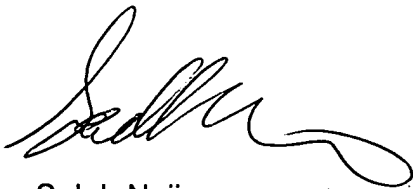
shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (571)272-4006. The examiner can normally be reached on Monday - Friday 9:00am-6:00pm w/ first Fridays off.

        If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703)308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

        Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Saleh Najjar
Primary Examiner / Art Unit 2157